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**FILED**  
ALAMEDA COUNTY

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
2

3 FOR THE COUNTY OF ALAMEDA  
4

MAY 13 2019

CLERK OF THE SUPERIOR COURT  
By *CMS* Deputy

COORDINATION PROCEEDING SPECIAL  
TITLE (RULE 3.550)

JCCP NO. 4953

ROUNDUP PRODUCTS CASES

ASSIGNED FOR ALL PURPOSES TO  
JUDGE WINIFRED SMITH

THIS DOCUMENT RELATES TO:

DEPARTMENT 21

8 *Pilliod, et al. v. Monsanto Company, et al.*  
9 Case No.: RG17862702

VERDICT FORM FOR  
ALVA PILLIOD

Trial Date: March 18, 2019

## VERDICT FORM

**PLAINTIFF ALVA PILLIOD**

We, the Jury, answer the questions submitted to us as follows:

## **CLAIM OF DESIGN DEFECT**

1. Did Roundup fail to perform as safely as an ordinary consumer would have expected when used or misused in an intended or reasonably foreseeable way?

Yes



No



If your answer to question 1 is yes, then answer question 2. If you answered no, proceed to question 3.

2. Was the design of Roundup a substantial factor in causing harm to Alva Pilliod?

Yes



No



Answer question 3.

## **CLAIM OF STRICT LIABILITY—FAILURE TO WARN**

3. Did Roundup have potential risks that were known or knowable in light of the scientific and medical knowledge that was generally accepted in the scientific community at the time of their manufacture, distribution or sale?

Yes



No



If your answer to question 3 is yes, then answer question 4. If you answered no, proceed to question 8.

4. Did the potential risks of Roundup present a substantial danger to persons when used in accordance with widespread and commonly recognized practice?

Yes



No



If your answer to question 4 is yes, then answer question 5. If you answered no, proceed to question 8.

5. Would ordinary consumers have recognized the potential risks?

Yes



No



If your answer to question 5 is no, then answer question 6. If you answered yes, proceed to question 8.

6. Did Monsanto fail to adequately warn of the potential risks?

Yes



No



If your answer to question 6 is yes, then answer question 7. If you answered no, proceed to question 8.

7. Was the lack of sufficient warnings a substantial factor in causing harm to Alva Pilliod?

Yes



No



Go to question 8.

1

**CLAIM OF NEGLIGENCE**

2

3     8. Was Monsanto negligent in designing, manufacturing, or supplying Roundup?

4

5                  Yes

6



9                  No

10



13        If your answer to question 8 is yes, then answer question 9. If you answered no, proceed to  
14        question 10.

15

16     9. Was Monsanto's negligence a substantial factor in causing harm to Alva Pilliod?

17

18                  Yes

19



22                  No

23



26        Go to Question 10.

27

28

**CLAIM OF NEGLIGENT FAILURE TO WARN**

29     10. Did Monsanto know or should it reasonably have known that Roundup was dangerous or was  
30        likely to be dangerous when used in accordance with widespread and commonly recognized  
31        practice?

32

33                  Yes

34



37                  No

38



41        If your answer to question 10 is yes, then answer question 11. If you answered no, proceed to  
42        question 15.

43

44     11. Did Monsanto know or should it reasonably have known that users would not realize the danger?

45

46                  Yes

47



50                  No

51



54        If your answer to question 11 is yes, then answer question 12. If you answered no, proceed to  
55        question 15.

56

12. Did Monsanto fail to adequately warn of the danger or instruct on the safe use of Roundup?

1 Yes

2 No



3 If your answer to question 12 is yes, then answer question 13. If you answered no, proceed to  
4 question 15.

5 13. Would a reasonable manufacturer, distributor, or seller under the same or similar circumstances  
6 have warned of the danger or instructed on the safe use of Roundup?

7 Yes

8 No



9 If your answer to question 13 is yes, then answer question 14. If you answered no, proceed to  
10 question 15.

11 14. Was Monsanto's failure to warn a substantial factor in causing harm to Alva Pilliod?

12 Yes

13 No



14 Go to Question 15.

### CLAIM OF DAMAGES

21 If you answered yes to question 2, 7, 9, or 14, then answer the questions below about damages for Alva  
22 Pilliod. If you did not answer or answered no to question 2, 7, 9 and 14, stop here, answer no further  
23 questions, and have the presiding juror sign and date this form.

24 15. What are Alva Pilliod's damages?

25 Past economic loss: \* \$ 47,296.01

26 Past noneconomic loss: \$ 8 million

28 \* If liability is found, the amount stipulated by the parties for past economic damages is \$47,296.01

1 Future noneconomic loss:

2 \$ 10 million

3 Go to Question 16.

4 **PUNITIVE DAMAGES**

- 5 16. Did Monsanto engage in conduct with malice, oppression or fraud committed by one or more  
6 officers, directors or managing agents of Monsanto acting on behalf of Monsanto?

7 Yes



No



9 If your answer to question 16 is yes, then answer question 17. If you answered no, stop here,  
10 answer no further questions, and have the presiding juror sign and date this form.

- 11 17. What amount of punitive damages, if any, do you award to Alva Pilliod?

12 \$ 1 billion

13 Signed: [Signature]

14 Presiding Juror

15 Dated: 5-13-19